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## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: 11/28/04 Name: E. Smolinski

Signature:

BRINKS  
HOFFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Barbara Stawski et al.

Appln. No.: 10/810,461

Examiner: N/A

Filed: March 26, 2004

Art Unit: N/A

For: LAMINATED FAST FLAVOR RELEASE  
COATING FOR CONFECTIONERIES

Attorney Docket No: 1391-1576

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

Transmittal letter (in duplicate); Information Disclosure Statement (in duplicate); Form PTO-1449 identifying 11 references; copies of references A9-A11.

Return Receipt Postcard

## Fee calculation:

No additional fee is required.

Small Entity.

An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).

A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_.)

An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity		
					Rate	Add'l Fee	or	Rate	Add'l Fee
Total		Minus			x \$9=		x \$18=		
Indep.		Minus			x 43=		x \$86=		
First Presentation of Multiple Dep. Claim					+\$145=		+\$290=		
					Total	\$	Total	\$	

## Fee payment:

A check in the amount of \$\_\_\_\_\_ is enclosed.

Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.

Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).

The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

6/28/04  
Date

Steven P. Shurtz (Reg. No. 31424)



### CERTIFICATE OF MAILING

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6/28/04

Date of Deposit

Steven P. Shurtz, Reg. No. 31,424

Name of Applicant, Assignee or  
Registered Representative

Steven P. Shurtz, Reg. No. 31,424

Signature

6/28/04

Date of Signature

Our Case No.: 1391-1576

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Barbara Stawski et al.

Examiner: N/A

Serial No.: 10/810,461

Group Art Unit No.: N/A

Filing Date: March 26, 2004

For: LAMINATED FAST FLAVOR  
RELEASE COATING FOR  
CONFECTIONARIES

### INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed below and on the attached Form PTO-1449 be considered by the Examiner and made of record. Pursuant to the waiver of the rules effective June 30, 2003, Information

Disclosure Statements may be filed without copies of U.S. patents and U.S. published applications for applications filed after June 30, 2003, (see 37 CFR 1.98 (a) (2) (i)).

Copies of U.S. patent documents are not required and therefore are not being submitted herewith inasmuch as the above captioned application was filed in the USPTO after June 30, 2003. Copies of the listed foreign and other art documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

The references now cited are the following:

**U.S. Patent Documents**

No.	Date	Name
4,971,798	11/20/1990	Coia et al.
US 6,180,143 B1	01/30/2001	Rapp et al.
US 6,224,904 B1	05/01/2001	Rapp et al.
US 6,248,386 B1	06/19/2001	Willibald-Ettle et al.
US 6,372,271 B1	04/16/2002	Fritzsching et al.
US 6,458,400 B1	10/01/2002	Willibald-Ettle et al.
US 6,592,928 B2	07/15/2003	Makela et al.
US 6,623,784 B2	09/23/2003	Zerby et al.

**Foreign Patent Document**

WO 01/03513 A1	01/18/2001	WIPO
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**Other Art**

U.S. application serial number 10/418,020 filed April 17, 2003 entitled "Triple Coated Confectionery Tablet Product"
U.S. application serial number 10/792,117 filed March 2, 2004 entitled "Fast Flavor Release Coating for Confectionery"

This Information Disclosure Statement is being filed prior to the receipt of the first Official Action reflecting an examination on the merits and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with filing of this Information Disclosure Statement. However, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to

these materials, the Commissioner is hereby authorized to deduct said fees from Brinks Hofer Gilson & Lione Deposit Account No. 23-1925. A duplicate copy of this document is enclosed.

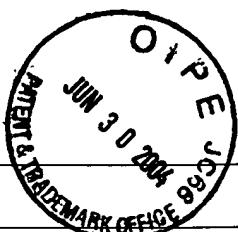
Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



\_\_\_\_\_  
Steven P. Shurtz 1gjs  
Registration No. 31,424  
Attorney for Applicants

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Fax: (801) 444-9210



FORM PTO-1449  LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT (use several sheets if necessary)	SERIAL NO. 10/810,461	CASE NO. 1391-1576
	FILING DATE March 26, 2004	GROUP ART UNIT N/A
	APPLICANT(S): Barbara Stawski et al.	

**REFERENCE DESIGNATION                    U.S. PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
A1	4,971,798	11/20/1990	Coia et al.	424/440	11/20/1989
A2	US 6,180,143 B1	01/30/2001	Rapp et al.	426/3	08/09/1997
A3	US 6,224,904 B1	05/01/2001	Rapp et al.	424/464	08/09/1997
A4	US 6,248,386 B1	06/19/2001	Willibald-Ettle et al.	426/516	02/11/1998
A5	US 6,372,271 B1	04/16/2002	Fritzsching et al.	425/103	01/16/1998
A6	US 6,458,400 B1	10/01/2002	Willibald-Ettle et al.	426/548	02/21/1997
A7	US 6,592,928 B2	07/15/2003	Makela et al.	426/660	11/21/2001
A8	US 6,623,784 B2	09/23/2003	Zerby et al.	426/660	08/27/2001

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NUMBER <small>Number-Kind Code (if known)</small>	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES OR NO
A9	WO 01/03513 A1	01/18/2001	WIPO		Yes

EXAMINER INITIAL	OTHER ART – NON PATENT LITERATURE DOCUMENTS	
	(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.)	
A10	U.S. application serial number 10/418,020 filed April 17, 2003 entitled "Triple Coated Confectionery Tablet Product"	
A11	U.S. application serial number 10/792,117 filed March 2, 2004 entitled "Fast Flavor Release Coating for Confectionery"	

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.